

CRIMINAL MINUTE SHEET

SENTENCING

Date 7/19/2013☒ Non-Public DocumentCase No. 12cr179-SWSTime 1:08-2:28

Interpreter _____

Int. Phone _____

USA vs. Christopher Lee Swartwood
Scott W. Skavdahl
 JUDGE

Darci Smith
 CLERK

Jamie Hendrich
 CT REPORTER

Tom Fitzgerald/phone
 PROBATION

Hoose/Ramsey
 MARSHAL
APPEARANCES

Government

Jason Conder and Agent John Powelly, ATF

Defendant

Adrew Parnes, Ronald Pretty by phone☐ CJA☐ FPD☒ RET☐ WAIVED☒ Defendant acknowledges having read presentence report☐ Defendant's objections to presentence report☐ Court denies objections to presentence report ☐ Court grants objections to presentence report

the Government does not believe the armed career criminal act applies to this case, the Court so finds. Most objections were related to this issue and were therefore, resolved by the finding. The Court ruled on the other objections, which defense counsel agreed were not material to the sentencing. Defendant guidelines at OL 23, CH 6. Government moved for 5k1.1 departure, and requests a 2 level reduction, the Court GRANTED the motion. Sentence OL21, CH6 (77-96 months).

☐ Witness(es) _____☐ Exhibits received by Court _____
☐ Government to move for departure within 1 year of sentencing
 Downward Departure ☐ Granted ☐ Denied
SENTENCING INFORMATION☒ Defendant is committed to custody
 For a period of 84 Month(s) as to Count(s) 1 _____ as to Count(s) _____
 _____ as to Count(s) _____ as to Count(s) _____
☐ Sentence shall be served _____ to _____☐ Defendant is sentenced to time served ☐ Plus up to ten (10) days to allow for deportation proceedings☒ Upon release from custody, the defendant shall be on **supervised release**
 For a period of 3 Year(s) as to Count(s) 1 _____ as to Count(s) _____
 _____ as to Count(s) _____ as to Count(s) _____
☐ Supervised Release shall be served _____ to _____☐ Defendant to be deported upon release from confinement☐ Defendant is placed on **probation** for a period of _____**CONDITIONS OF PROBATION/SUPERVISED RELEASE**☒ Obey all laws, Federal, State & Local☒ Abide by the standard conditions of supervision☐ Home confinement for a period of _____☒ Not use or possess firearms/ammunition/explosives☒ Not purchase, use or possess alcohol/intoxicants; frequent places where alcohol is bought, sold or dispensed☒ Submit to mandatory drug testing (w/in 15 days of release)☐ Notify Probation of change in economic circumstance☐ Notify employers of conviction☒ Submit person, residence, office or vehicle to a search☒ Report to Probation w/in 72 hours of release☒ Provide complete financial disclosure as directed☐ Electronic monitoring as directed by Probation☒ Not use or possess controlled substances/drugs☐ Not open new lines of credit or incur new debt☒ Submit to additional drug/alcohol testing and treatment☐ Mandatory drug testing is waived☒ DNA collection☒ Cognitive/Behavioral Treatment☒ Pay one-time fee of \$250.00 to partially defray costs of treatment and/or drug testing

- ☒ Other (continued from conditions of Probation/Supervised Release)
See Judgment for full set of conditions imposed.

MONETARY IMPOSITIONS

- ☒ Defendant shall pay **special assessment(s)** in the amount of \$ 100.00 as to Count(s) 0, _____ as to Count(s) _____, _____ as to Count(s) _____, _____ as to Count(s) _____ for a **total** of \$ 100.00
- ☒ Special assessment is due and payable immediately
- ☒ Special assessment shall be paid through the Inmate Financial Responsibility Program and any balance not paid shall be paid during the term of supervision but no later than 60 days prior to the expiration of supervision
- ☒ Special assessment shall be paid in monthly installments of at least \$ 25.00 during the term of supervision
- ☐ Special assessment remitted upon deportation of the defendant
- ☐ Defendant shall pay a **fine** in the amount of _____ as to Count(s) _____, _____ as to Count(s) _____, _____ as to Count(s) _____ for a **total** of \$ 0.00
- ☐ Fine is due and payable immediately
- ☐ Fine shall be paid through the Inmate Financial Responsibility Program and any balance not paid shall be paid during the term of supervision but no later than 60 days prior to the expiration of supervision
- ☐ Fine shall be paid in monthly installments of at least \$ _____ during the term of supervision
- ☐ Fine shall be paid jointly and severally with _____
- ☒ Fine is waived due to inability to pay
- ☐ Defendant shall make **restitution** in the amount of _____ as to Count(s) _____, _____ as to Count(s) _____, _____ as to Count(s) _____ for a **total** of \$ 0.00
- ☐ Restitution is due and payable immediately
- ☐ Restitution shall be paid through the Inmate Financial Responsibility Program and any balance not paid shall be paid during the term of supervision but no later than 60 days prior to the expiration of supervision
- ☐ Restitution shall be paid in monthly installments of at least \$ _____ during the time of supervision
- ☐ Restitution shall be paid jointly and severally with _____
- ☐ Other restitution information _____
- ☐ Interest requirement for fine/restitution/special assessment is waived
- ☒ Defendant is **remanded** to custody of US Marshal
- ☐ Defendant shall **surrender** to designated prison on/before _____ at _____ AM
- ☐ Defendant shall **report** to institution as directed by Probation
- ☒ Court **recommends placement** at a facility in CO or AZ ie FCI Englewood or FCI Safford
- ☒ Court recommends defendant participate in the prison industries program
- ☐ Court recommends defendant participate in the Bureau of Prison's 500-hour Residential Drug Treatment Program
- ☐ Court recommends defendant participate in substance abuse treatment while incarcerated
- ☒ Defendant advised of right to appeal ☐ Defendant waives right to appeal
- ☐ Defendant shall forfeit the following property _____

- ☒ Count(s) 2 of the Indictment **dismissed** on the motion of the United States